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SERVICE DATE – JULY 21, 2005

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-6 (Sub-No. 401X)

BNSF RAILWAY COMPANY – ABANDONMENT EXEMPTION – IN POLK COUNTY, IA¹

Decided: July 20, 2005

BNSF Railway Company (BNSF) filed a notice of exemption under 49 CFR 1152 Subpart F–Exempt Abandonments to abandon a 1.88-mile line of railroad, extending from milepost 67.38 to milepost 1.45, near Des Moines, in Polk County, IA. Notice of the exemption was served and published in the Federal Register on July 16, 2004 (69 FR 42803-04). The notice stated that, if consummation has not been effected by BNSF's filing of a notice of consummation by July 16, 2005, and there were no legal or regulatory barriers to consummation, the authority to abandon would automatically expire.²

On July 14, 2005, BNSF filed a request to extend the deadline for filing its notice of consummation until December 31, 2005, stating that unanticipated issues relating to the historic preservation condition have hampered BNSF's ability to consummate the abandonment. The request will be granted.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. BNSF's request for an extension of time to exercise the abandonment authority is granted.

2. The authority to abandon must be exercised on or before December 31, 2005.

¹ Effective January 20, 2005, The Burlington Northern and Santa Fe Railway Company changed its name to BNSF Railway Company. The title of this proceeding has been modified accordingly.

² By decision served on August 16, 2004, the exemption was made subject to environmental conditions and a historic preservation condition.

3. This decision is effective on its service date.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams
Secretary